

**UNAPPROVED**

**BOARD OF DENTISTRY  
MINUTES OF REGULATORY-LEGISLATIVE COMMITTEE MEETING**

**Thursday, September 11, 2003  
Department of Social Services  
730 East Broad Street  
Richmond, Virginia 23219**

**Department of Health Professions  
6603 West Broad Street  
Richmond, Virginia 23230-1712**

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**CALL TO ORDER:** A meeting of the Virginia Board of Dentistry's Regulatory – Legislative Committee was called to order at 3:05 p.m.

**PRESIDING:** Michael Link, D.D.S., Chairperson

**MEMBERS PRESENT:** Deborah Southall, R.D.H.

**BOARD MEMBERS  
PRESENT:** Gary Taylor, D.D.S.  
James Watkins, D.D.S.  
Harold Seigel, D.D.S.  
Paul Zimmet, D.D. S.

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Howard Casway, Assistant Attorney General  
Robert Nebiker, Director-DHP  
Elaine Yeatts, Sr. Policy Analyst  
JeAnne Marshall, Administrative Assistant

**QUORUM:** With two members present, a quorum was established.

**PUBLIC COMMENT** Dr. Mark Crabtree of the Virginia Dental Association reported that the VDA is advancing a bill for specialty licensure and is in favor of the two legislative proposals from MCV. Dr. Crabtree expressed the VDA is not in favor of changing of changing the ratio for ratio for dental hygienists or of repealing the statute on trade names.

**DISCUSSION:** **Legislation proposed by MCV:** Dr. Ronald J. Hunt, dean of the VCU/MCV School of Dentistry addressed the Committee about two proposals to change the Virginia Dentistry Statute. The first proposal would amend §54.1-2712.3 to allow dental and dental hygiene students to obtain practical experience in community service projects and private dental offices. The Committee discussed the proposed legislation and on a properly seconded motion by Ms. Southall, unanimously agreed to recommend that the Board support the concept of the legislative proposal. The

Committee asked that Ms. Yeatts and Mr. Casway work with Dr. Hunt to further develop the proposal the proposal.

The second proposal would amend §54.1-2712.5 to provide for a resident's license. The Committee discussed the proposed legislation and Ms. Yeatts advised that the bill as drafted did not allow residents to prescribe medication. On a properly seconded motion by Ms. Southall, the Committee unanimously agreed to recommend that the Board support the concept of the legislative proposal. The Committee asked that Ms. Yeatts and Mr. Casway work with Dr. Hunt to further develop the proposal.

**Petition from Dr. Jelinek, DDS:** The Committee reviewed the petition from Dr. Jelinek. His petition asked that the number of dental hygienists a dentist may supervise be increased from 2 to 3. On a properly seconded motion by Ms. Southall, the Committee voted to recommend that the Board deny this petition and continue to look into the policy issues.

**Joint Commission on Administrative Rules:** Mr. Nebiker explained this Commission was asked by VDHA and the Poverty Law Center to suspend 18 VAC 60-20-200 of the regulations to remove the limit on the number of dental hygienists a dentist may supervise. The Joint Commission concluded it does not have the authority to suspend the rule but encouraged the interested parties to discuss the issue.

**Economic Impact Statement on Regulatory Review:** The Committee reviewed the Economic Impact Analysis prepared by the Department of Planning and Budget. Ms. Reen explained that the Virginia Department of Planning and Budget has approved the proposed regulations. Ms. Yeatts requested that she be allowed to review the EIA and come back with recommendations regarding any response that might be needed from the Board.

**Petition from American Safety and Health Institute:** The ASHI filed a petition for rulemaking to have its name added to the list of approved continuing education sponsors in 18 VAC 60-20-50.C. On a properly seconded motion by Ms. Southall, the Committee unanimously voted to recommend to the Board that the petition be approved.

**Comprehensive Legislative Proposal for 2005 Session:**

Ms. Reen explained that the Board authorized her to solicit support from Mr. Nebiker to pursue a comprehensive proposal to amend Chapter 27 in the 2005 Session. Ms. Reen reported that Mr. Nebiker gave conditional support and requested a draft proposal. Ms. Reen asked the Committee to adopt a work plan to produce a proposal. Following discussion Ms. Reen, Ms. Yeatts and Mr. Casway were asked to draft a proposal to bring to the Committee.

**Dental Assisting National Board:** The Committee reviewed information presented from Dr. Watkins about the expanded duty functions for certified dental assistants. Ms. Reen reported that at the July board meeting she was asked to check with other states to see what their provisions and requirements are for certified dental assistants. She has not had the opportunity to look into this matter. Dr. Watkins asked that this be deferred to the next board meeting in November.

**ADJOURNMENT**

With all business concluded, the Committee adjourned at 4:25 p.m.

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Michael J. Link, Chairperson

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Date

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Sandra K. Reen, Executive Director

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Date